

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

In re:)	Case Number: 21-44120-399
)	Chapter 13
ROBERT MARTIN QUINN, JR. and)	
TINA KAYE QUINN,)	
)	
Debtors,)	
)	
U.S. BANK TRUST NATIONAL)	Hearing Date: August 10, 2022
ASSOCIATION AS TRUSTEE FOR)	Hearing Time: 9:00 AM
BRACKENRIDGE MORTGAGE TRUST,)	Location: Courtroom 5 North
)	
Movant,)	
)	
vs.)	Re: Motion No. 42
)	
ROBERT MARTIN QUINN, JR.,)	
TINA KAYE QUINN and)	
DIANA S. DAUGHERTY, Trustee,)	
)	
Respondents.)	

**ORDER GRANTING MOTION FOR RELIEF FROM
AUTOMATIC STAY AND DENYING REQUEST TO DISMISS CASE**

The Motion for Relief from Stay and Alternative Request to Dismiss Case filed by U.S. Bank Trust National Association as trustee for Brackenridge Mortgage Trust (the "Movant"), and Debtors' Response to the Motion, document no. 44, were called for hearing on August 10, 2022, regarding the real property commonly known as **1309 Cypress Trail Ln, Fenton, MO 63026**, and legally described as follows:

THE FOLLOWING DESCRIBED REAL ESTATE SITUATED IN THE COUNTY OF ST. LOUIS STATE OF MISSOURI, TO WIT: LOT 20 OF SAN LUIS TRAILS PLAT 1 ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 164 PAGE 76 OF THE ST. LOUIS COUNTY RECORDS.

Present appearing in person were Corrine Edwards, Counsel for Debtors, Cynthia M. Kern Woolverton, Counsel for Movant, and Kathy Reichbach, Counsel for the Chapter 13 Trustee. No other parties appeared. Upon announcements made on the record and careful review of the record in this case, it is accordingly

ORDERED that the Motion for Relief from Stay be and it is hereby **GRANTED** in that the stay provided for by Section 362 of Title 11, United States Code, is terminated to permit the Movant, or its successors and assigns to foreclose its security interest in the herein described property and to pursue its remedies in accordance with the security agreement and state law including obtaining possession of the property after foreclosure. It is further

ORDERED that the Chapter 13 Trustee is directed to discontinue payment on all claims secured by the property against which relief from the automatic stay is granted in this Order. The Trustee is directed to resume payment on such claims on notification pursuant to L.B.R. 3021-1 A. It is further

ORDERED that relief from the automatic stay is granted to Movant, or its successors and assigns effective immediately and that relief from the automatic stay is not stayed for fourteen (14) days pursuant to Rule 4001. It is further

ORDERED Movant's attorney fees in the amount of \$700.00 and costs in the amount of \$188.00 sought in the Motion, or any balance thereon, are hereby granted and may be assessed against the account of the Debtors. It is further

ORDERED that Movant, or its successors and assigns shall be permitted to communicate with the Debtors and Counsel for Debtors to the extent provided for under non-bankruptcy law to discuss loss mitigation options including alternatives to foreclosure. It is further

ORDERED that Movant's alternative request to dismiss this bankruptcy case be and it hereby is **DENIED**. All further relief prayed for by Movant is hereby DENIED.

DATED: August 16, 2022
St. Louis, Missouri
jah


Barry S. Schermer
United States Bankruptcy Judge

Order prepared by:

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